

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

**STATEMENT RELATED TO AFFYMETRIX, INC.'S MOTION FOR SUMMARY
ADJUDICATION ON ILLUMINA, INC.'S THIRD AND SEVENTH AFFIRMATIVE
DEFENSES AND SECOND COUNTERCLAIM**

Pursuant to the Court's Memorandum Order on Summary Judgment Procedure, counsel for plaintiff/counter-defendant Affymetrix, Inc. hereby certifies that no genuine issues of material fact exist with regard to the facts argued in support of Affymetrix, Inc.'s Motion For Summary Adjudication On Illumina, Inc.'s Third And Seventh Affirmative Defenses And Second Counterclaim.

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July 18, 2006
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CERTIFICATE OF SERVICE

I hereby certify that on July 18, 2006, I electronically filed the foregoing document using CM/ECF which will send notification of such filing(s) to the following:

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I also certify that copies were caused to be served on July 18, 2006 upon the following in the manner indicated:

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